

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In Re: :
 :
STEPHANIE A. PERRY, : BANKRUPTCY NO. 17-10438TPA
Debtor :
 : THE HON. THOMAS P. AGRESTI
 :
 : CHAPTER 7

.....

In Re: :
 :
MICHAEL GEORGE PERRY, JR., : BANKRUPTCY NO. 19-10234TPA
Debtor :
 : THE HON. THOMAS P. AGRESTI
 :
 : CHAPTER 13

CONSENT ORDER

AND NOW, comes John C. Melaragno, Esquire, Chapter 7 Trustee of the Estate of Stephanie A. Perry (hereinafter "Chapter 7 Trustee") by and through his attorneys, Melaragno, Placidi & Parini and Michael George Perry, Jr., by and through his attorneys, Quinn, Buseck, Leemhuis, Toohey & Kroto, and Gregory D. Pamula by and through his attorney, Michael J. Graml, Esquire and Michael Camesi by and through his attorneys, Conner, Riley, Friedman & Weichler, and the Chapter 13 Trustee, Ronda J. Winnecour, Esquire (hereinafter "Chapter 13 Trustee") and upon consent of the Chapter 7 Trustee and the Chapter 13 Trustee and counsel for Michael George Perry, Jr. and Gregory D. Pamula and Michael Camesi, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. Stephanie A. Perry and Michael George Perry, Jr. (who is involved in his own Chapter 13 Bankruptcy filed in the United States Bankruptcy Court for the Western District of Pennsylvania, Erie Division, at Case No. 19-10234TPA) are both granted relief from the

automatic stay in order to proceed with the divorce action filed by Stephanie Perry v.

Michael Perry in the Court of Common Pleas of Erie County Pennsylvania at No. 10307-2016.

2. Divorce counsel for Stephanie A. Perry (Gregory D. Heidt, Esquire) and Michael George Perry, Jr. (James L. Moran, Esquire) shall make a concerted effort to resolve the pending divorce action within a reasonable period of time. Otherwise, the Court will entertain the appointment of a Court approved mediator.
3. The Chapter 7 Trustee and Michael George Perry, Jr. agree that the liquor license and other personal property owned by Perry and Pamula, Inc. shall be sold by Michael Camesi pursuant to the stock pledge in order to satisfy his debt in approximately \$66,872.27. Camesi has found a buyer, Kulwant Lakhman who has agreed to purchase the liquor license for \$60,000.00. All parties agree that this sum constitutes a reasonable sale price for the liquor license and consent to the sale to Lakhman. In the event that the sale to Lakhman is not consummated, then the license shall be marketed on the open market and shall be sold in an arms-length transaction for the highest and best offer. Any proposed sale shall be contingent on the the consent of the Chapter 7 Trustee, John C. Melaragno., which consent shall not be unreasonably withheld. Any fines owed by Perry and Pamula, Inc. in connection with the liquor license shall be deducted from the net proceeds attributable to Michael Perry, since said fines were incurred during his operation of the facility.
4. Any excess net proceeds from the sale of the liquor license and the personal property of Perry and Pamula, Inc. shall be held in escrow by domestic counsel for Stephanie Perry, Gregory Heidt, Esq., pending the resolution of the entirety of the equitable distribution claim.

5. In the event that the proceeds from the sale of the liquor license and personal property of Perry and Pamula, Inc. are sufficient to pay the claim of Michael Camesi in full, in then, and in that event, Michael Camesi shall satisfy his mortgage dated May 21, 2013 and recorded on May 22, 2013 at Erie County Instrument Number 2013-012647 in the face amount of \$120,000.00 which constitutes a mortgage on the real estate located at 430-432 Cascade Street, Erie, Pennsylvania 16507. In addition, Michael Camesi shall satisfy the Judgment which he entered against Michael George Perry, Jr. and Gregory D. Pamula in the Court of Common Pleas of Erie County Pennsylvania at No. 10870-2019. In addition, Michael Camesi shall file an amended Proof of Claim in the Chapter 13 Bankruptcy filed by Michael George Perry, Jr. in the United States Bankruptcy Court for the Western District of Pennsylvania, Erie Division, at Case No. 19-10234TPA to reflect that the claim has been paid in full within twenty (20) day of receipt of the proceeds from the sale of the liquor license and other personal property.
6. In the event that the proceeds from the sale of the liquor license and other personal property owned by Perry and Pamula, Inc. are insufficient to pay the claim of Michael Camesi, then, and in that event, Michael Camesi shall be entitled to a secured claim for the remaining balance owed and said claim shall be paid in full at the time of the sale of the real estate located at 430-432 Cascade Street, Erie, Pennsylvania 16507. In the event that the claim is not paid in full from the sale of the liquor license and other personal property owned by Perry and Pamula, Inc., Michael Camesi shall file an amended secured claim in the Chapter 13 Bankruptcy filed by Michael George Perry, Jr. in the United States State Bankruptcy Court for the Western District of Pennsylvania, Erie Division, at Case No. 19-10234TPA for the balance due on the mortgage within twenty

(20) days of the date of the receipt of the proceeds from the sale of the liquor license and other personal property.

7. The Chapter 7 Trustee and Gregory D. Pamula and Michael George Perry, Jr. agree that the liquor license and other personal property of Perry and Pamula, Inc. may be sold prior to the sale of the real estate located at 430-432 Cascade Street, Erie, Pennsylvania.
8. The real estate located at 430-432 Cascade Street, Erie, Pennsylvania which is owned by Michael George Perry, Jr. and Gregory Pamula shall be sold. The net proceeds from the sale of the real estate located at 430-432 Cascade Street, Erie, Pennsylvania shall be divided so that Gregory D. Pamula receives one-half (1/2) of the proceeds and the remaining one-half (1/2) of the net sale proceeds shall be held in escrow by domestic counsel for Stephanie Perry, Gregory Heidt, Esq., pending the resolution of the entirety of the equitable distribution claim.
9. Michael Camesi is granted relief from stay in order to sell the liquor license and personal property of Perry and Pamula, Inc.
10. Michael George Perry, Jr. has filed an Application for Leave to Employ Realtor which is pending at this time.
11. In the unlikely event that the real estate located at 430-432 Cascade Street, Erie, Pennsylvania is sold prior to the time that the liquor license and other personal property owned by Perry and Pamula, Inc. is sold, then, and in that event, the net proceeds from the sale of the liquor license and other personal property owned by Perry and Pamula, Inc. shall be distributed so that Gregory D. Pamula receives one-half (1/2) of the net proceeds and the remaining one-half (1/2) of the net sale proceeds shall be held in escrow by domestic counsel for Stephanie Perry, Gregory Heidt, Esq., pending the resolution of the entirety of the equitable distribution claim.

BY THE COURT:

Honorable Thomas P. Agresti
United States Bankruptcy Judge

Consented to:

MELARAGNO, PLACIDI & PARINI

By: /s/ John C. Melaragno
John C. Melaragno, Esquire
Pa I.D. No. 80207
502 West 7th Street
Erie, PA 16502
Phone: (814)459-5557
Fax: (814)459-6778
Email: johnm@mplegal.com
Chapter 7 Trustee

**QUINN, BUSECK, LEEMHUIS, TOOHEY
& KROTO, INC.**

By: /s/ Michael S. Jan Janin
Michael S. Jan Janin, Esq.
Pa. I.D. No. 38880
2222 West Grandview Boulevard
Erie, PA 16506-4508
Phone: (814) 833-2222, Ext. 1045
Phone: (814) 314-1051 (Direct)
Fax: (814) 833-6753
Email: mjanjanin@quinnfirm.com
Attorneys for, Michael
George Perry, Jr.

MICHAEL J. GRAML, ESQUIRE

By: /s/ Michael J. Graml
Michael J. Graml, Esquire
Pa. I.D. No. 50220
714 Sassafras Street
Erie, PA 16501
Attorney for, Gregory D. Pamula
Email: mattorney@neo.rr.com

**CONNER, RILEY, FRIEDMAN &
WEICHLER**

By: /s/ Philip B. Friedman
Philip B. Friedman, Esquire
17 West 10th Street
Erie, PA 16501
Phone: (814)453-3343, ext. 237
Fax: (814)454-6713
Attorney for Michael Camesi
Email: pfriedman@crfwlaw.com

OFFICE OF THE CHAPTER 13 TRUSTEE

By: /s/ Jana Pail
Jana Pail, Esq.
3250 USX Tower
600 Grant Street
Pittsburgh, PA 15219
Phone: (412) 471-5566
Email: jpail@chapter13trusteewdpa.com